

Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels and Fire Rehabilitation Actions

Federal Water Right Acquisition Project - Agua Fria River and Sycamore Creek
DOI-BLM-AZ-P010-2012-005-CX

A. The Agua Fria National Monument was established on January 11, 2000 to protect the significant archeological and biological resources found within the Monument. With the establishment of the AFNM, federal water rights were also granted to “reserve a quantity of water sufficient to fulfill the purposes for which the AFNM was established.” Efforts to quantify these resources began in 2010 with the installation of three gauging stations within the Agua Fria National Monument. Two stations were located on the Agua Fria River and one on Sycamore Creek. However, additional monitoring equipment is needed to obtain data critical to secure federal water rights.

BLM Office: *Agua Fria National Monument (AFNM)*

Lease/Serial/Case File No.: N/A

Proposed Action Title/Type: Federal Water Right Acquisition Project - Sycamore Creek

Location of Proposed Action: AFNM- Sycamore Creek: T11N, R3E, T9N, R2E Gila and Salt River Meridian

Description of Proposed Action: The installation of permanent gauging stations is needed to obtain data critical to securing federal water rights as well as better understanding water resources within the Agua Fria National Monument. This project involves the installation of three gauging stations within the AFNM on the Agua Fria River and Sycamore Creek. The first gauging station will be located east of the Kelton Ranch within the Agua Fria River (112° 3' 8.429" W, 34° 18' 35.864" N). The location of the second gauging station will be south of the EZ Ranch within Sycamore Creek (112° 4' 12.151" W, 34° 19' 27.802" N). The third gauging station will be located within the deeded property of the Horseshoe Ranch (112° 3' 29.646" W, 34° 15' 40.896" N) which is encompassed by the AFNM. Each gauging station will be housed in an 8' tall stand pipe which will be partially buried 30" by hand dug holes with an expected disturbance of 2' sq. per location. A solar panel and radio transmitter will be attached to the stand pipe. The pressure transducer and wires will be housed in a pipe and will be bolted to rock cliffs. Installation activities are expected to last no more than one day per station.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: Agua Fria National Monument Record of Decision and Approved Resource Management Plan

Date Approved/Amended: **4/22/2010**

☒ The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

WS-3. Instream water rights are quantified and protected to sustain wildlife, fish, and riparian resources.

WS-5. Identify, quantify, and secure legal entitlement to all existing water sources on the public lands and seek to acquire water rights, when possible, to ensure water availability to meet multiple-resource needs. Assert Federal reserved water rights, where suitable, in Agua Fria National Monument to secure water for the purposes of the reservations

WS-6. Water quality in streams and springs will be monitored and protected to meet Federal and State standards and to ensure that the needs of fish and wildlife are met along with the needs of people.

WS-8. Developed springs, seeps, and other projects affecting water and related resources will be designed to protect ecological functions and processes and to continue to provide habitat at the source for endemic invertebrates, native fishes, and other native aquatic species that may be present.

☒ The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

GM-2. Watersheds are in properly functioning condition, including their upland, riparian, and aquatic components. Soil and plant conditions support infiltration, storage, and release of water that are in balance with climate and landform.

GM-19. Management practices maintain or promote sufficient vegetation to maintain, improve or restore riparian-wetland functions of energy dissipation, sediment capture, groundwater recharge, and stream bank stability, thus promoting stream channel morphology (e.g. gradient, width/depth ratio, channel roughness, and sinuosity), and functions suitable to climate and landform.

GM-21. The development of springs, seeps, or other projects affecting water, and associated resources will be designed to protect ecological functions and processes.

WS-1. Management practices maintain, restore, or enhance water quality in conformance with State and Federal standards.

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, or 516 DM 11.5:

National Environmental Handbook H-1790-1 Appendix 3 (1.6)

“Nondestructive data collection, inventory (including field, areal, and satellite surveying and mapping), study, research, and monitoring activities.”

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 or 516 DM 11.5 apply.

I considered: I have considered the impact of installing gauging equipment in Sycamore Creek and the Agua Fria River. Construction activities associated with the installation of gauging equipment and the equipment itself will not have any long term adverse impacts on wildlife including special status species. Construction activities will be completed before yellow-billed cuckoos (*Coccyzus americanus*) occupy the drainage. I have also considered the impact of the

project on archeological resources. Prior to installation of equipment, an archeologist will ensure no archeological resources are present in the Area of Proposed Effect (APE). Visual resources have also been considered. Gauging equipment will have an effect on visual resources. The stand pipe is 2' in diameter and 8' tall. To mitigate this impact, the equipment will be painted to blend in with the natural environment. The two gauging stations located on lands managed by the BLM will be in remote areas accessible only by non-motorized travel. The station on the deeded Horseshoe Ranch is near prehistoric petroglyphs. However, the petroglyphs are accessed from the opposite direction of the station and should be out of the field of view. Socio-economic considerations have also been taken into account. Due to the remote location, the project will not disproportionately affect minorities or low income individuals.

D: Signature

Authorizing Official: Signed by Rem Hawes Date: 11/04/2011
Rem Hawes
Agua Fria National Monument Manager

For additional information concerning this CX review, contact: Paul Sitzmann Wildlife Biologist
psitzman@blm.gov

Note: A separate decision document must be prepared for the action covered by the CX. See Attachment 2.

BLM Categorical Exclusions: Extraordinary Circumstances¹

Attachment 1

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:		
1. Have significant impacts on public health or safety		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The gauging equipment will not affect public health or safety. The equipment will be located in a remote area and attached to bedrock.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Although the installation of gauges will occur within a floodplain of the AFNM, impacts to the floodplain and monument will be minimal. The proposed action is also consistent with the Land Use Plan (see AFNM ROD and Approved RMP WS-3 and WS-5). The installation of stand pipes will disturb 2' sq of soil at each location. Stand pipes will be installed outside of the floodplain and holes will be dug by hand tools. Pipeline associated with the gauging stations will be 1" in diameter and be approximately 20' in length. Pipes containing wires will be secured to bedrock at inconspicuous locations. Very little to no vegetation removal is expected during the installation process. Wildlife habitat will be virtually unchanged.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Water gauges are frequently used by local, state and federal government agencies to obtain data on water levels, temperatures and flow rates. The equipment has a visual impact on the landscape but because the impact is small, the use of gauging equipment is commonplace. Efforts will be made during the installation of the equipment to have it blend in with the environment as much as possible. Pipes will be recessed into crevices and cracks in rocks when possible and be of a natural color.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The environmental risk associated with the installation of gauging equipment is well known and minimal.
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		

¹ If an action has any of these impacts, you must conduct NEPA analysis.

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The installation of gauging equipment in Sycamore Creek within the AFNM is unique. However, the AFNM contains gauging stations run by the Flood Control District of Maricopa and Yavapi County Flood Control District. A stream gauge is already present upstream from the proposed stream gauges outside of the monument boundary. This action would not set precedent for future action or represent a decision in principle about future actions.
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Individual actions that are insignificant environmental impacts are not expected have cumulatively significant environmental effects. Wildlife displacement due to noise associated with construction activities is expected. However, installation of the equipment is expected to last less than one week. Once the equipment is installed, no further construction is required. Follow up data collection will be conducted once every two weeks but will not be any different than current uses of the area.
7. Have significant impacts on properties listed or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The BLM is required by Section 106 of the National Historic Preservation Act to establish if an action is an undertaking and to take into account potential effects to historic properties as defined by 36 CFR Part 800.16. The BLM surveyed less than one acre of the Area of Proposed Effects (APE) on October 26 and October 27, 2011. The surveyed was completed by a professional archaeologist. Evidence for prehistoric land use was not observed within the APE.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The western yellow-billed cuckoo (<i>Coccyzus americanus</i>) was found to be a distinct population segment and is currently a candidate species for listing under the Endangered Species Act (USFWS 2005). This migratory bird can typically be found in the riparian areas within the Agua Fria National Monument including Sycamore Creek from mid-June through early-September. However, the installation of gauging equipment will be completed well before yellow-billed cuckoos occupy the area thus mitigating any impact. Gila chub (<i>Gila intermedia</i>) are listed as endangered under the Endangered Species Act (USFWS 2005) and populations periodically occur in the project area during high flow events but project area is not suitable habitat for Gila chub due to the presence of non-native predatory fish and a lack of water.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The installation of gauging equipment will not affect migratory bird or significantly alter habitat. Section 7 consultation is not needed. The installation of stream flow gauges will not violate

		state statutes or county ordinances.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The project areas are located in remote areas within the AFNM and will not impact low income or minority populations.
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The Agua Fria National Monument was established to preserve and protect the unique cultural and biological resources found in the area. Prehistoric archaeological sites have been documented to exist along the Agua Fria River and Sycamore Creek. BLM staff completed an intensive cultural resource survey of the proposed areas that would be used for the installation of the gauging equipment. The proposed sites will not affect the physical integrity of sacred sites nor limit access to sacred sites.
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The installation of gauging equipment is not expected to contribute to the introduction, continued existence or spread noxious weeds or non-native invasive species. Vehicles used to haul equipment will be similar to recreation vehicles already using the area and travel will be limited to designated routes. Surface disturbances will be limited less than 2' sq. per gauging station location which will not significantly contribute to disturbed soil available to noxious weeds. Non-native fish already inhabit the lower Sycamore Creek and Agua Fria River. None of the gauges will alter stream channel dynamics which, if altered, could contribute to the spread of non-native fish.

Approval and Decision

Attachment 2

Compliance and assignment of responsibility: Paul Sitzmann

Monitoring and assignment of responsibility: Paul Sitzmann

Review: *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects. Therefore, it is categorically excluded from further environmental review.*

Prepared by: _____ **Signed by Paul Sitzmann** **Date:** 11-04-2011

Paul Sitzmann
Project Lead

Reviewed by: _____ **Signed by Leah Baker** **Date:** 11-04-2011

Leah Baker
Planning & Environmental Coordinator

Reviewed by: _____ **Signed by Rem Hawes** **Date:** 11-04-2011

Rem Hawes
Manager

Project Description:

This project involves the installation of three gauging stations within the AFNM on the Agua Fria River and Sycamore Creek to assist with data collection needed to secure federal water rights. The first gauging station will be located east of the Kelton Ranch within the Agua Fria River (112° 3' 8.429" W, 34° 18' 35.864" N). The location of the second gauging station will be south of the EZ Ranch within Sycamore Creek (112° 4' 12.151" W, 34° 19' 27.802" N). The third gauging station will be located within the deeded property of the Horseshoe Ranch (112° 3' 29.646" W, 34° 15' 40.896" N) which is encompassed by the AFNM. A solar panel and radio transmitter will be attached to the stand pipe. The pressure transducer and wires will be housed in a pipe which will be bolted to rock outcrops. Approximate length of the pipe is 20'. Construction activities are expected to last one day per gauging station.

Decision: Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable).

Approved By: _____ **Signed by Rem Hawes** **Date:** 11/04/11
Rem Hawes